

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

MATTHEW R. STIDHAM,

Plaintiff,

vs.

MICHAEL J. ASTRUE¹,

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:06CV172 JCH (MLM)

ORDER

This matter arises on the Report and Recommendation of United States Magistrate Judge Mary Ann L. Medler, filed September 26, 2007. See 28 U.S.C. §636. In her report, Magistrate Judge Medler recommends that the Court affirm the decision of the Commissioner, and dismiss Plaintiff's Complaint with prejudice. Plaintiff was granted eleven (11) days to object to the recommendation, but to date has filed no objections.

Upon careful consideration of the Report and Recommendation and the record in this case,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge (Doc. No. 11) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

¹ Michael J. Astrue became Commissioner of Social Security on February 12, 2007. Pursuant to Federal Rule of Civil Procedure 25(d)(1), he is substituted for Former Commissioner Jo Anne B. Barnhart, as proper party defendant in this cause.

IT IS FURTHER ORDERED that the decision of the Commissioner is **AFFIRMED**, and Plaintiff's Complaint is **DISMISSED** with prejudice. A separate Judgment will accompany this Order.

Dated this 10th day of October, 2007.

/s/ Jean C. Hamilton

UNITED STATES DISTRICT JUDGE